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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/500,850	02/16/2005	William Yu	14231NP	8677

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EXAMINER

HINES, ANNE M

ART UNIT	PAPER NUMBER
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2879

DATE MAILED: 04/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/500,850	<b>Applicant(s)</b> YU, WILLIAM	
	<b>Examiner</b> Anne M. Hines	<b>Art Unit</b> 2879	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 07 July 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 July 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>4/7/05</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Specification***

The abstract of the disclosure is objected to because it describes the invention of the present application by comparison to "prior art". The abstract should mention by way of example the preferred modification or alternative. The abstract should not refer to purported merits or speculative applications of the invention and should not compare the invention with the prior art. Correction is required. See MPEP § 608.01(b).

### ***Drawings***

The drawings are objected to because they contain symbols that appear to be a foreign language. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the

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examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-4 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In claim 1, the phrase "on the basis of prior planar fluorescent tubes" is indefinite. Applicant cannot claim their invention relative to the prior art since it is unclear what prior art the applicant is referring to. The claims must particularly point out and distinctly claim the invention that applicant regards as their own. For the purposes of examining the claims on their merits, the Examiner has treated the claims assuming that the phrase "on the basis of prior planar fluorescent tubes" is removed from claim 1.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by Lau (US 6083021) (of record).

Regarding claim 1, Lau discloses an eccentric planar fluorescent tube comprising a planar fluorescent tubular portion (Fig. 1, 10; Column 3, line 52), two ends for drawing out filaments (Fig. 1, see ends of 10 connected to 12—filaments are shown here but not labeled), and a leg member provided at the tube ends (Fig. 1, 12; Column 3, line 53); wherein, said two tube ends are extended from one periphery side of said tubular portion to another periphery side opposed to said one periphery side along a plane defined by said tubular segments at which the two tube ends exist so as to form two increased extended tubular segments (Fig. 1, 10—the ends of the lamp containing the filaments are extended from one side to connect to housing 12 that is connected to the opposite periphery side), and a passage which passes a center of the tube plane is

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formed at said periphery side and between said two extended tubular segments (Fig. 1, 10—see passage between the ends of 10 at connection to 12).

Regarding claim 2, Lau further discloses wherein one side of said leg member is held on a periphery tubular segment located at said another periphery side by a fixing member (Fig. 1, 12 & 14; Column 3, lines 51-57), and the other side of said leg member thereof is held on two extended tube ends (Fig. 1, 12; Column 3, lines 51-54), and power supplying pins which are electrically connected to the filament at both tube ends are protruded from the leg member (Fig. 5, 22; Column 3, line 67 to Column 4, line 2). Note that, while the connector pins are not explicitly described as being connected to the lamp tube filaments, the Examiner considers it inherent to the operation of the lamp of Lau that the filaments are connected to the connector pins 22 in order to Lau's device to operate as a fluorescent lamp as directed in Lau's disclosure.

Regarding claim 3, Lau further discloses wherein said leg member comprises two parts, in which one part is installed at said tube part located at another said periphery side and is held on said two tube ends (Fig. 1, 14 & 12—see top portion of 12 supporting ends of 12 and connecting to 14; Fig. 5, 12; Column 3, lines 51-57), the other part is installed at a center part of tubular portion with two said extended tube parts (Fig. 1 & Fig. 5, see bottom portion of 12 with walls 60 & 62 & 63 & 32; Column 4, lines 60-66), and power supplying pins connected to the filaments on the two tube ends are protruded from said other part (Fig. 5, 22; Column 3, line 67 to Column 4, line 2). Note that, while the connector pins are not explicitly described as being connected to the lamp tube filaments, the Examiner considers it inherent to the operation of the lamp

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of Lau that the filaments are connected to the connector pins 22 in order to Lau's device to operate as a fluorescent lamp as directed in Lau's disclosure.

Claims 1, 2, and 4 are rejected under 35 U.S.C. 102(e) as being anticipated by Reich et al. (US 6726496).

Regarding claim 1, Reich discloses an eccentric planar fluorescent tube comprising a planar fluorescent tubular portion (Fig. 10, 43; Column 5, line 28), two ends for drawing out filaments (Fig. 10, 48; Column 5, lines 38-40), and a leg member provided at the tube ends (Fig. 10, 45; Column 5, lines 28-29); wherein, said two tube ends are extended from one periphery side of said tubular portion to another periphery side opposed to said one periphery side along a plane defined by said tubular segments at which the two tube ends exist so as to form two increased extended tubular segments (Fig. 10, 48—the tube ends are extended from one periphery side to connect to housing 45 that is connected to the opposite periphery side), and a passage which passes a center of the tube plane is formed at said periphery side and between said two extended tubular segments (Fig. 10; Column 5, lines 38-40). Note that, although lamp filaments are not explicitly shown or described by Reich, the Examiner considers it inherent to the operation of the discharge lamp of Reich that filaments are provided in the lamp ends 48 in order to operate as a discharge lamp as directed in Reich's disclosure.

Regarding claim 2, Reich further discloses wherein one side of said leg member is held on a periphery tubular segment located at said another periphery side by a fixing

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member (Fig. 10, 46; Column 5, lines 34-36), and the other side of said leg member thereof is held on two extended tube ends (Fig. 10, 48 & 45), and power supplying pins which are electrically connected to the filament at both tube ends are protruded from the leg member (Fig. 10, 46; Column 5, lines 46-48). Note that, while the connector pins are not explicitly described as being connected to the lamp tube filaments, the Examiner considers it inherent to the operation of the discharge lamp of Reich that the filaments are connected to the connector pins 55 in order to Reich's device to operate as a discharge lamp as directed in Reich's disclosure.

Regarding claim 4, Reich further discloses an adaptor member formed by an adaptor body (Fig. 10, 1; Fig. 15, 101; Column 5, line 26; Column 6, 33) and an adaptor arm (Fig. 10, 3; Fig. 15, 103; Column 5, line 49; Column 6, line 34), the adaptor body located in a center part of the tubular portion with two extended tube parts (Fig. 10, 1; Fig. 15, 101—the adaptor is within the tubular portion of the lamp 43), the adaptor arm extended from the adaptor body to the power supply pins of the leg member and forming a connector (Fig. 10, 3 & 55; Fig. 15, 103; Column 6, lines 33-35) and the power supplying pins of the leg member are inserted into the connector (Column 6, lines 33-35) and power supplying pins of the adaptor member disposed on the adaptor body are electrically connected to the connector (Fig. 15, 15; Column 7, lines 9-10).

#### ***Other Prior Art Cited***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.



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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anne M. Hines whose telephone number is (571) 272-2285. The examiner can normally be reached on Monday through Friday from 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimesh Patel can be reached on (571) 272-2457. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Anne M Hines  
Patent Examiner  
Art Unit 2879

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*4/14/06*

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**MARICELI SANTIAGO**  
**PRIMARY EXAMINER**